

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

PAUL O'BEIRNE,

Plaintiff,

vs.

TROY STAFFORD,

Defendant.

No. 2:15-cv-1330-RSL

**ANSWER AND AFFIRMATIVE
DEFENSES**

Defendant Troy Stafford, by and through counsel of record, answers the corresponding numbered paragraphs of Plaintiff's complaint as follows:

1. Admit

2. Admit

3. Admit

4. Deny that Stafford committed any tort in Washington. Defendant consents to personal jurisdiction.

5. Admit

6. Admit that the parties entered into an agreement. Defendant lacks knowledge of any signed writing documenting the agreement and therefore denies that the agreement was in

1 writing. Admit that the agreement provided for a loan to Defendant of \$350,000 and transfer
2 from Defendant to Plaintiff of 10,000 shares of Miller Petroleum, Inc. Deny any inconsistent
3 allegation of paragraph 6.

4 7. Deny.

5 8. Admit that Defendant did not repay the loan. Defendant asserts that Plaintiff did
6 not accept the shares.

7 9. Deny

8 10. Admit

9 11. Deny

10 12. Admit and deny as stated above

11 13. This allegation calls for a legal conclusion.

12 14. This allegation calls for a legal conclusion.

13 15. Admit

14 16. Deny that Plaintiff has suffered damages in the amount Plaintiff claims.

15 Defendant denies any allegation not specifically admitted herein.

16 Defendant denies that Plaintiff is entitled to the relief requested.

17
18 Having answered Plaintiff's complaint, Defendant asserts the following affirmative
19 defenses:

20 1. Plaintiff has failed to mitigate any damages.

21 2. The statute of limitations has expired on any tort claims or on claims for breach of an
22 oral or partly oral contract.

3. Plaintiff is barred from recovering any usurious interest.

DATED this 5th day of January, 2016.

STEINACKER LAW PLLC

/s/ Kevin T. Steinacker
KEVIN T. STEINACKER, WSBA No. 35475

CERTIFICATE OF SERVICE

I certify that on January 5, 2016, I electronically filed the foregoing Answer with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Jeremy E Roller
jroller@yarmuth.com
Attorney for Plaintiff

/s/ Kevin T. Steinacker
KEVIN T. STEINACKER, WSBA No. 35475